

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

William E. Martin,

Plaintiff,

v.

Case No. 2:18-cv-270

Zamvir Zariwala, et al.,

Judge Michael H. Watson

Defendants.

Magistrate Judge Deavers

ORDER


The Magistrate Judge issued a Report and Recommendation ("R&R") recommending the denial of Zamvir Zariwala's ("Defendant") motion to dismiss, ECF No. 13, without prejudice and further recommending that William E. Martin's ("Plaintiff") in forma pauperis status be revoked pursuant to the three-strikes rule. R&R, ECF No. 15. Plaintiff failed to file a timely objection, and the Court adopted the R&R on April 26, 2019. Op. and Order, ECF No. 16. Plaintiff then moved the Court to set aside its adoption, alleging he never received the Court mailings due to a prison transfer. ECF No. 17.

The Court granted Plaintiff an extension until Wednesday, July 3, 2019, to file objections to the R&R. Order, ECF No. 19. To date, Plaintiff has failed to file objections. Plaintiff was cautioned that failure to do so would result in reinstatement of the Court's previous Order adopting the R&R.

Accordingly, the Court reinstates its previous Opinion and Order, ECF No. 16, **ADOPTS** the R&R, **REVOKES** Plaintiff's *in forma pauperis* status, and

ORDERS that he pay the \$400 filing fee within thirty days. Plaintiff is cautioned that his failure to pay the \$400 filing fee within thirty days of this Order will result in dismissal of this action for failure to prosecute.

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT